



Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30333

MAR 09 2012

Michael Morisy
Muckrock News
DEPT MR 1121
P.O. Box 55819
Boston, Massachusetts 02205-5819

Dear Mr. Morisy:

This letter is in response to your Freedom of Information Act (FOIA) request of February 23, 2012, for a copy of the data prepared, final or draft reports for or from the Diesel Exhaust in Miners Study (DEMS), run jointly by NIOSH and NCI. Your request has been assigned #12-00462-FOIA. You may check on the status of your case by going to our FOIA webpage at www2a.cdc.gov/od/foiastatus and entering this number. The fiscal year is the first two numbers and the request ID is the second set of numbers.

Your request will be sent to the area(s) which may have pertinent records. Program officials will initiate a search, and we will provide a copy of all releasable agency records as quickly as possible. The cut-off date for your request will be the date the search for responsive records is initiated by program staff. All requests are handled on a first-in, first-out basis.

Please note that the records you seek are maintained outside of this office and our staff has not yet been able to complete a search to determine whether there are records within the scope of your request. Accordingly, we will be unable to comply with the twenty-working-day time limit in this case, as well as the ten additional days provided by the statute. The actual processing time will depend on the complexity of your request and whether sensitive records, voluminous records, extensive search, and/or consultation with other Department of Health and Human Services (HHS) components or other executive branch agencies are involved.

You can learn more about the FOIA and the HHS FOI regulations at the following web address: www.justice.gov/oip/ and www.hhs.gov/foia/45cfr5.html.

The FOIA and HHS FOI regulations allow agencies to recover part of the costs of processing FOIA requests. There may be a charge for these records. You have been classified as a Category II Requester and as such, you will be charged for duplication fees. We will address your fee waiver and fee estimate when we ascertain from program staff that the cost of the billable FOIA services will exceed the Agency's threshold.

Sincerely yours,

Katherine Norris
CDC/ATSDR FOIA Officer
Office of the Chief Information Officer
(770) 488-6399
Fax: (770) 488-6200